

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
SECURITIES AND EXCHANGE COMMISSION :  
:  
Plaintiff, :  
: 19-CV-8621 (JPC)  
-v- :  
: ORDER  
TOM SIMEO :  
:  
Defendant. :  
:  
-----X

JOHN P. CRONAN, United States District Judge:

On October 23, 2020, the Court held a conference at which it set a briefing schedule for Plaintiff's summary judgment motion. In accordance with this schedule, Plaintiff filed its motion on November 13, 2020. (Dkt. 53.) Defendant's opposition was due December 4, 2020, but on November 30, 2020, Defendant filed a letter in which he requested additional time because he had contracted COVID-19. (Dkt. 59.) The Court granted this request and extended Defendant's deadline to January 4, 2021. (Dkt. 60.) On January 5, 2021, the Court received a letter in which Defendant sought additional time to file his opposition. (Dkt. 62-3.) The Court granted this request and ordered Defendant to file his opposition by February 4, 2021. (Dkt. 63.) On February 4, 2021, Defendant filed a letter stating that he was "still very sick and bedridden" and requested an additional thirty days to file his opposition. (Dkt. 64.) The Court granted this extension and ordered Defendant to file his opposition by March 4, 2021. (Dkt. 65.)

Defendant did not file his opposition by March 4, 2021. On March 8, 2021, Plaintiff filed a letter dated March 5, 2021 in which he states that he "may have been infected a second time by a mutation of the COVID-19 virus." (Dkt. 66.) He thus asks for an extension to April 15, 2021. (*Id.*)

Plaintiff opposes this late request. (Dkt. 67.)

Defendant's request, Dkt. 66, is granted in part. Defendant shall file any opposition to Plaintiff's motion by April 5, 2021. This will serve as the final extension for Defendant's opposition. The Court will not grant further extensions. If Defendant fails to file an opposition to Plaintiff's motion for summary judgment, Dkt. 53, by April 5, 2021, the Court will deem Plaintiff's motion to be fully submitted. While the Court is sympathetic to Defendant's claimed health conditions, Plaintiff's motion for summary judgment was filed nearly four months ago and must be resolved as expeditiously as possible. Plaintiff shall file any reply by April 19, 2021.

The Clerk of Court is respectfully directed to mail a copy of this Order to Defendant.

SO ORDERED.

Dated: March 8, 2021  
New York, New York

---



JOHN P. CRONAN  
United States District Judge